

Article - Criminal Law

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§3–709.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Intimate parts” has the meaning stated in § 3–809 of this title.
- (3) “Sexual activity” has the meaning stated in § 3–809 of this title.
- (b) A person may not cause another to:
 - (1) engage in an act of sexual activity by threatening to:
 - (i) accuse any person of a crime or of anything that, if true, would bring the person into contempt or disrepute;
 - (ii) cause physical injury to a person;
 - (iii) inflict emotional distress on a person;
 - (iv) cause economic damage to a person; or
 - (v) cause damage to the property of a person; or
 - (2) engage as a subject in the production of a visual representation or performance that depicts the other with the other’s intimate parts exposed or engaging in or simulating an act of sexual activity by threatening to:
 - (i) accuse any person of a crime or of anything that, if true, would bring the person into contempt or disrepute;
 - (ii) cause physical injury to a person;
 - (iii) inflict emotional distress on a person;
 - (iv) cause economic damage to a person; or
 - (v) cause damage to the property of a person.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

(d) A sentence imposed under this section may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing the violation of this section.

(e) A visual representation depicting a victim that is part of a court record for a case arising from a prosecution under this section:

(1) subject to item (2) of this subsection, may not be made available for public inspection; and

(2) except as otherwise ordered by the court, may only be made available for inspection in relation to a criminal charge under this section to:

- (i) court personnel;
- (ii) a jury in a criminal case brought under this section;
- (iii) the State's Attorney or the State's Attorney's designee;
- (iv) the Attorney General or the Attorney General's designee;
- (v) a law enforcement officer;
- (vi) the defendant or the defendant's attorney; or
- (vii) the victim or the victim's attorney.

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